

From: [Stephen Halasz](#)
To: [Gary Moore/R6/USEPA/US@EPA](#)
Subject: Re: Falcon Refinery
Date: 03/09/2010 03:55 PM

Gary,

NORCO is not throwing up their hands, they are requesting to use the letter of credit funds to complete the cleanup, they provided that in a letter to Gloria.

Before any final decisions are made at your team meeting please allow Mr. Bergner an opportunity to discuss the recommendation of the team.

Stephen Halasz, P.G.
Environmental Group Manager
1826 Kramer Lane, Suite M
Austin, TX 78758
(o) 512.926.6650
(d) 512.491.4622
(c) 512.796.9449
(f) 512.833.5058

>>> <Moore.Gary@epamail.epa.gov> 3/9/2010 3:48 PM >>>

Stephen:

The letter we got from Mr. Bergner appeared to indicate they were throwing up their hands. I will find out more on Wednesday when our team meets to discuss the road forward. I am certainly not the expert but looking at the wastes they sure look like they would be K052 and K169. The K169 is listed for benzene and you would have to show nondetect for benzene to get it out of the K169 listing. In addition, it appears to me that it would have to be incinerated. See the attached.

Gary Moore
EPA Region 6
Response and Prevention Branch
214-665-6609
moore.gary@epa.gov

Re: Falcon Refinery



Stephen Halasz

to: Gary Moore

03/09/2010 03:27 PM

Gary,

We were planning on separating the waste that's left in the tanks using frac tanks



9567459

and separators. Texas Molecular takes in all the clear liquid waste as haz waste and always has. The solids will be classified after the removal of the clear liquids and taken to US Ecology, which is an approved haz waste facility and the waste will be solidified or treated.

We were planning on using this procedure on all tanks with waste. I've included the bids from the subcontractor. Please contact me if you have any further questions.

I called you yesterday and left a message, is there a chance that NORCO can use their \$1 million letter of credit funds to finish the cleanup?

Stephen Halasz, P.G.
Environmental Group Manager
1826 Kramer Lane, Suite M
Austin, TX 78758
(o) 512.926.6650
(d) 512.491.4622
(c) 512.796.9449
(f) 512.833.5058

>>> <Moore.Gary@epamail.epa.gov> 3/9/2010 3:07 PM >>>

Stephen:

It appears that you were planning on disposing of the waste from all tanks except Tank 7 as non-hazardous. Just looking at it, without knowing anything else, it would appear that they would be disposed of as the following:

Tanks 7: K052

Tanks 10, 26, and 27: K169

Is there a reason you did not consider Tank 10, 26, and 27 as hazardous waste?

Thanks

Gary Moore
EPA Region 6
Response and Prevention Branch
214-665-6609
moore.gary@epa.gov

Warning: Information provided via electronic media is not guaranteed against defects including translation and transmission errors.

If the reader is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this information in error, please notify the sender immediately.[attachment "Proposal for Tank 7 cleaning.xls" deleted by Gary Moore/R6/USEPA/US] [attachment "Tank cleanout.xls" deleted by Gary Moore/R6/USEPA/US]

Warning: Information provided via electronic media is not guaranteed against defects including translation and transmission errors.

If the reader is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this information in error, please notify the sender immediately.